

United States District Court

SOUTHERN

DISTRICT OF
McALLEN DIVISION

TEXAS

UNITED STATES OF AMERICA

V.

CRIMINAL COMPLAINT

Roberto Cazares-Garcia

PRINCIPAL

Case Number:

YOB: 1976

the United Mexican States CT. 1&2

M-16-1749 -M

Jesus Jovan Delgado-Gonzalez

CO-PRINCIPAL

YOB: 1986

the United Mexican States CT. 1&2

SEP 19 2016

(Name and Address of Defendant)

Clerk of Court

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about September 17, 2016 in Hidalgo County, in the Southern District of Texas defendants(s) did,
(Track Statutory Language of Offense)

CT. 1 knowing or in reckless disregard of the fact that Jose Santos Andrade-Rodriguez and Jorge Alberto Perez, citizens and nationals of El Salvador, along with thirty-three (33) other undocumented aliens, for a total of thirty-five (35), who had entered the United States in violation of law, concealed, harbored or shielded from detection or attempt to conceal, harbor, or shield from detection such aliens in any place, including any building or means of transportation,

CT. 2 knowing or in reckless disregard of the fact that Jose Santos Andrade-Rodriguez and Jorge Alberto Perez, citizens and nationals of El Salvador, along with thirty-three (33) other undocumented aliens, for a total of thirty-five (35), who had entered the United States in violation of law, did knowingly transport, or move or attempt to transport said aliens in furtherance of such violation of law within the United States, that is, from a location in McAllen, Texas to the point of arrest in McAllen, Texas,

in violation of Title 8 United States Code, Section(s) 1324(a)(1)(A)(iii) FELONY

I further state that I am a(n) U.S. Senior Border Patrol Agent and that this complaint is based on the following facts:


On September 13, 2016, the Rio Grande Valley (RGV) Field Intelligence Team (FIT) received information from McAllen Intelligence Agents regarding a house being used to harbor undocumented immigrants at 4812 South 33rd Street McAllen, Texas and that a subject driving a white Ford F-250 was involved in the smuggling operation.

With the information received, Border Patrol Agent Solis positioned himself near the residence to conduct surveillance. BPA Solis observed a white Ford F-250 arrive to the residence on South 33rd Street. The driver, which was later identified as Jesus Jovan DELGADO-Gonzalez, exited the vehicle and with a key in his hand, unlocked a lock that was at the front gate of the residence and slid the gate open.

SEE ATTACHED

Continued on the attached sheet and made a part of this complaint:

☒ Yes ☐ No

approved by


Signature of Complainant

Adan De Los Santos Senior Patrol Agent

Printed Name of Complainant

Sworn to before me and subscribed in my presence,

September 19, 2016

Date

at McAllen, Texas

City and State

Dorina Ramos, U. S. Magistrate Judge
Name and Title of Judicial Officer


Signature of Judicial Officer

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
McALLEN, TEXAS**

ATTACHMENT TO CRIMINAL COMPLAINT:

M-16- -M

**RE: Roberto Cazares-Garcia
Jesus Jovan Delgado-Gonzalez**

CONTINUATION:

BPA Solis then relayed to BPA Cervantes, the direction of travel of the vehicle as it left the residence. Agents followed the vehicle until the agents lost visual of the vehicle.

On Sept 17, 2016, BPA Cervantes began surveillance at the residence. At around 10:15 AM BPA Antone observed three male subjects exit the house and walk to the corner of the street. Moments later a black Chevy Cruze drove next to the subjects and they got into the vehicle. The driver was later identified as Roberto CAZAREZ-Garcia. At that time BPA Cervantes contacted McAllen Police to assist us with a traffic stop on the vehicle.

Officer Perez conducted a traffic stop on the vehicle for no signal lane change on Expressway 83 Frontage Road near Taylor Road McAllen, TX. BPA F. Soto and BPA J. Cervantes approached the traffic stop and identified themselves as Border Patrol Agents to the driver and passengers. BPA Cervantes spoke with the driver while BPA Soto talked to the passengers in the vehicle. CAZARES was asked about his immigration status to which he freely admitted being illegally present in the United States. At that time BPA Soto advised that one of the passengers had admitted to being illegally present in the United States and had mentioned that there were thirty-two undocumented aliens at the residence. All subjects were placed under arrest for being illegally in the United States.

Later that day, BPA Soto observed a white van arrive at the residence and dropped off food and water. BPA Soto and a DPS Trooper followed the van to a nearby Stripes store and approached the driver later identified as Jesus Jovan DELGADO-Gonzalez. They asked him who lived at the house where he dropped off food and water and he replied, they just called him to take food and water to that house. BPA Soto asked DELGADO where he was from and replied he was illegally present in the United States. At that time he was placed under arrest.

A search warrant for the home at 4812 South 33rd Street McAllen, TX 78503 was issued and yielded thirty-two undocumented aliens.

PRINCIPAL STATEMENT: Jesus Jovan DELGADO-Gonzalez

Jesus Jovan DELGADO-Gonzalez was advised of his rights, understood his rights and was willing to give a sworn statement without the presence of an attorney.

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
McALLEN, TEXAS**

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**RE: Roberto Cazares-Garcia
Jesus Jovan Delgado-Gonzalez
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CONTINUATION:

Jesus Jovan DELGADO-Gonzalez stated that he crossed illegally into the United States on May 27, 2016. Subject stated he was last arrested on April of 2015 when officers found nine illegal aliens inside his house. DELGADO stated that today he was delivering food. Subject stated that he was hired by a subject known as "Perro/Billete" that lives in Houston, Texas. Subject stated that he is paid \$200 for delivering food to the house. Subject stated that his role is to deliver food to the house and open the gate when the load vehicles arrive. Subject stated that he did purchase a lock for the gate and kept one key and left one key inside the house. Subject admitted to being involved in alien smuggling, but needed the money to support his family.

PRINCIPAL STATEMENT: Roberto CAZAREZ-Garcia

Roberto CAZAREZ-Garcia was advised of his rights, understood his rights and was willing to give a sworn statement without the presence of an attorney.

Roberto CAZAREZ-Garcia stated that he entered illegally in 2009 near Matamoros, Tamaulipas, Mexico. CAZARES stated that today a person he works for by the name of Gerardo Echavaria called him and asked him to pick up and transport three illegal immigrants. CAZARES said the immigrants told him that they wanted to leave the house they were in because they did not get fed enough and there were a lot of other illegal immigrants. CAZARES stated that he has been doing this for about 2 months and that he gets paid \$100.00 per immigrant by Gerardo Echavarria.

MATERIAL WITNESS: Jose Santos ANDRADE-Rodriguez

Jose Santos ANDRADE-RODRIGUEZ was read his Miranda Rights, understood his rights and was willing to provide a sworn statement without the presence of an attorney.

Jose Santos ANDRADE-RODRIGUEZ a Citizen of El Salvador admitted to entering the United States on or about September 10, 2016 near Miguel Aleman, Tamaulipas, Mexico.

**UNITED STATES DISTRICT COURT
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CONTINUATION:

ANDRADE stated that after crossing the Rio Grande River on September 10, 2016, an unknown man driving a pick-up truck picked him up and took him to meet up with a second pickup truck to which he was transferred. ANDRADE was shown a photo lineup and was able to identify DELGADO-Gonzalez, Jesus Jovan as the driver that of the second pickup truck. ANDRADE further stated that DELGADO drove him to the stash house. ANDRADE stated that when he left, he was picked up by a man driving a black car. ANDRADE was shown a photo lineup and was able to identify CAZAREZ-Garcia, Roberto as the man who picked him from the stash house. ANDRADE stated that his sister made the smuggling arrangements for him to be smuggled into the U.S. and has paid \$3,000 already with the expectations to pay \$4,000 more.

MATERIAL WITNESS: Jorge Alberto PEREZ

Jorge Alberto PEREZ was read his Miranda Rights, understood his rights and was willing to provide a sworn statement without the presence of an attorney.

Jorge Alberto PEREZ, citizen of El Salvador, stated that after crossing the Rio Grande River on September 10, 2016, an unknown man driving a grey car picked him up and took him to the stash house where he was apprehended today. PEREZ also stated that a man with light skin with a mustache and a beard would go to the stash house to take food items. NOTE: PEREZ was shown a photo lineup and identified Jesus Jovan DELGADO-Gonzalez as the subject that would take food items to the stash house. PEREZ also described a dark skin male subject as the driver of the black car that picked him up from the stash house. PEREZ was shown a photo lineup and identified Roberto CAZAREZ-Garcia as the subject that picked him up from the stash house. PEREZ also stated that his cousins that reside in Virginia made the smuggling arrangements for him to be smuggled into the U.S.